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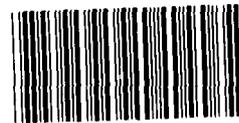
RELEASED

General Accounting Office

Justice Expenditures For Private Counsel And Judicial Fee Awards In Antitrust And Securities Cases

GAO examined the Department of Justice's expenditures for representing federal employees sued for actions made within the scope of their employment. During fiscal years 1974 through 1982, expenditures for private counsel amounted to about \$4 million.

The federal government expended about \$279,000 in court-awarded costs to private parties prevailing in civil antitrust cases during fiscal years 1978 through 1982.



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GAO/GGD-84-2
OCTOBER 7, 1983

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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-211798

The Honorable Edward M. Kennedy
United States Senate

Dear Senator Kennedy:

In your March 7, 1983, letter you requested information concerning the federal government's expenditures for (1) private counsel to represent federal employees sued for actions performed within the scope of their employment in circumstances where conflicts exist which make it inappropriate for Justice attorneys to represent the employees and (2) court-awarded litigative costs and/or attorney fees in civil antitrust and securities litigation. Your office subsequently requested that we also obtain information on the amount of private parties' expenditures for attorney fees awarded in civil antitrust and securities litigation held in federal courts but not involving the federal government.

Information provided by the Department of Justice, the Securities and Exchange Commission, and the Administrative Office of the United States Courts showed the following:

- Justice's expenditures for private counsel fluctuated during fiscal years 1974 through 1982 and totaled about \$4 million for this 9-year period.
- Federal expenditures for litigative costs awarded by the courts to private parties prevailing in civil antitrust litigation involving the federal government totaled about \$279,000 during fiscal years 1978 through 1982.
- Federal statutes do not permit litigative costs to be awarded in civil securities litigation involving the Securities and Exchange Commission.
- The courts did not award any attorney fees to private parties prevailing in civil antitrust or securities litigation involving the federal government.

--In civil antitrust and securities litigation held in federal courts but not involving the federal government, attorney fees awarded to the prevailing private parties ranged from \$9,375 to \$4,105,307 for antitrust cases and from \$413 to \$3,398,250 for securities cases closed during statistical year 1982.¹

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of our review were to determine the federal government's expenditures in circumstances where (1) Justice authorized the use of private counsel to represent a federal employee sued or subpoenaed in his/her individual capacity for acts performed within the scope of employment and (2) a federal court awarded litigative costs and/or attorney fees to a prevailing private party in civil antitrust or securities litigation involving the federal government. We also examined the amount of attorney fees awarded in civil antitrust and securities litigation held in federal courts but not involving the federal government. Our review was conducted at the Department of Justice in Washington, D.C., where we spoke with officials of Justice's Civil, Criminal, Antitrust, and Management Divisions; and officials of Justice's Office of Legal Policy. We also spoke with an official of the Securities and Exchange Commission's Office of General Counsel.

We reviewed Justice's policies and procedures for providing private counsel. A report prepared by Justice's Civil Division contained the names of the private counsel retained and expenditures made for private counsel during fiscal years 1974 through 1981. With similar information from the Civil Division we developed information on the expenditures for private counsel in fiscal year 1982.

We reviewed statutory provisions for judicial awards of attorney fees and/or litigative costs in civil antitrust and securities litigation. Information from the Administrative Office of the U.S. Courts showed payments for attorney fees

¹The Administrative Office of the U.S. Courts maintains data on a statistical year basis covering the period from July 1 to June 30.

awarded in judicial proceedings under the Equal Access to Justice Act.² A list provided by the Administrative Office detailed monetary judgments for civil antitrust and securities cases terminated during statistical year 1982, which covers the period July 1, 1981, to June 30, 1982. By reviewing the docket sheets for these cases we determined the amounts of the monetary judgments and attorney fee awards. We talked to an official of Justice's Office of Legal Policy about the impact of the Equal Access to Justice Act on attorney fee awards in civil antitrust and securities litigation. Justice's Antitrust Division provided information on antitrust cases in which awards were made against the federal government as well as the amount of the awards and the recipients during fiscal years 1978 through 1982. Our work was conducted in accordance with generally accepted government auditing standards.

DEPARTMENT OF JUSTICE POLICY ON
RETENTION OF PRIVATE COUNSEL

Justice is generally responsible for authorizing the retention of private counsel at federal expense to represent a federal employee sued or subpoenaed in his/her individual capacity for acts performed within the scope of employment. Private counsel can be provided in civil, congressional, or state criminal proceedings. Generally, the Civil Division is responsible for coordinating the authorization for and monitoring of payments to private counsel. Of the officials we contacted in each of Justice's litigative divisions, only Civil Division officials told us that they had retained private counsel to represent federal employees. Justice's policy provides for payment of private counsel on the basis of the counsel's ordinary and customary charges and length of practicing experience, with payment not to exceed \$75 per hour.

Provisions for retaining
private counsel

Justice is the government's primary litigator for cases in which the federal government or one of its agencies or employees

²The Equal Access to Justice Act, (Public Law 96-481) which was enacted on October 21, 1980, and implemented on October 1, 1981, authorized courts to award reasonable attorney fees and expenses to eligible prevailing parties in certain administrative proceedings and judicial actions involving the federal government which had not been previously authorized.

is a party, except where specific statutory authorization permits an agency to retain private counsel for representing federal employees. For example, the Secretaries of the Armed Forces may retain private counsel to represent persons subject to the Uniform Code of Military Justice in judicial tribunals and administrative agencies of any foreign nation (10 U.S.C. 1037).

The Code of Federal Regulations (CFR) (28 C.F.R. 50.15 and 50.16) authorizes Justice's attorneys to represent federal employees in civil, congressional, or state criminal proceedings concerning actions performed within the scope of their employment, except under the following circumstances:

- The federal employee is the subject of a federal criminal investigation concerning the actions for which he/she seeks representation.
- Conflicts exist among various employees involved in the same case which make it inappropriate for Justice Department attorneys to represent the litigant.
- Representation of the employee involves the assertion of a position which conflicts with the interests of the United States.
- Considerations of professional ethics prohibit direct review of the facts by Justice Department attorneys.
- The Solicitor General declines to authorize further appellate review.

Under the circumstances cited above, Justice may authorize representation by private counsel at federal expense if Justice has sufficient appropriated funds available. However, if employees are the subject of a federal criminal investigation in which an indictment or information related to the criminal investigation has been filed against the employee, no federal attorneys or money for private attorneys will be provided for representation. If an indictment is rendered or information filed after private counsel has been provided, federal payments will be terminated. Federal employees always have the option of providing their own counsel at their own expense.

Procedures for retaining
private counsel

When a federal employee requests the Justice Department to provide representation at federal expense, the request is usually sent to the Civil Division. First, it is determined whether federal representation would be appropriate and, secondly, whether representation should be provided by Justice attorneys or by private counsel at federal expense. If private counsel is deemed necessary, the Civil Division's Assistant Director of the Torts Branch prepares the necessary paperwork for the approval of the Assistant Attorney General, Civil Division. The Assistant Attorney General then refers the request to a committee comprised of several officials of the Assistant Attorney General's office and the Torts and Federal Programs Units of the Civil Division for its review and recommendation. On the basis of the committee's recommendation, the Assistant Attorney General decides whether Justice will pay for private counsel. If approval for the retention of private counsel is granted, Justice will generally defer to the employee's choice of counsel, and a written agreement is signed by the Assistant Attorney General and the private counsel. The retention agreement sets forth the legal fees and expenses which the government agrees to pay and the format and frequency of bills to be submitted for payment.

The Civil Division processes the payment of bills through its staff attorneys and budget office. A copy of the retention agreement and an estimate of the total costs for the legal fees and expenses are sent to the Civil Division's budget office, where funds are obligated and an account is established against which charges are made as bills are paid. The private counsel submits bills to the Civil Division's budget office where they are reviewed and certified for accuracy. Civil Division attorneys then review the bills to determine whether the expenses claimed are reasonable and necessary. After approval, the bills are submitted by the Civil Division for payment through the Justice Management Division to the Department of the Treasury.

Rates for private
counsel compensation

Justice is authorized to pay private counsel for legal fees and expenses incurred in the defense of a federal employee. Justice will pay for legal services not exceeding 120 hours per month unless it approves special requests made in advance of any expenditures. Compensation rates for legal fees are based on

the retained counsel's ordinary and customary charges and length of practicing experience but are not to exceed \$75 per hour. A schedule of Justice's maximum fee rates follows:

- A lawyer with more than 5 years of practicing experience is paid \$75 per hour.
- A lawyer with 3 to 5 years of practicing experience is paid \$60 per hour.
- A lawyer with less than 3 years of practicing experience is paid \$50 per hour.
- A paralegal or legal assistant is paid \$30 per hour.

Justice is also authorized to pay for normal overhead expenses, such as postage, telephone bills, travel, and court transcripts. However, unusual or exceptionally high expenses must be approved by the Civil Division in advance of any expenditures.

JUSTICE'S EXPENDITURES
FOR PRIVATE COUNSEL

Justice's expenditures for private counsel retained to represent federal employees fluctuated during fiscal years 1974 through 1982, ranging from \$12,100 in 1974 to \$787,380 in fiscal year 1979. The table on the following page shows Justice's payments for private counsel during fiscal years 1974 through 1982.³

³Information for the period 1974 through 1981 was based on a report prepared by the Department of Justice. We did not verify the accuracy of this information; however, we did correct some arithmetic miscalculations for presentation in this report. We developed fiscal year 1982 information from records maintained by the Civil Division.

| <u>Fiscal year</u> | <u>Payments</u> |
|--------------------|--------------------|
| 1974 | \$ 12,100 |
| 1975 | 47,810 |
| 1976 | 566,204 |
| 1977 | 434,451 |
| 1978 | 737,524 |
| 1979 | 787,380 |
| 1980 | 547,900 |
| 1981 | 350,271 |
| 1982 | 505,034 |
| Total | \$3,988,674 |

Appendix I contains a list showing the names of the private law firms retained, the names of the lawsuits filed or subject matter involved, and the total amounts paid to the law firms during fiscal years 1974 through 1982.

COSTS AWARDED TO PRIVATE
PARTIES IN CIVIL ANTITRUST
AND SECURITIES LITIGATION
INVOLVING THE FEDERAL GOVERNMENT

Private parties prevailing in civil antitrust litigation involving the federal government may recover certain costs incurred during litigation. Such awards against the federal government were authorized in 1966 by Public Law 89-507, which amended section 2412 of title 28 of the United States Code. Section 2412 specifically provides that costs do not include the fees and expenses of attorneys.⁴ In other instances, such as in civil securities litigation involving the Securities and Exchange Commission, cost awards against the federal government are specifically prohibited by statute (15 U.S.C. 77v, 78aa, and 79y). Awards against the federal government in civil antitrust litigation totaled \$279,090 during fiscal years 1978 through 1982 and were paid from the permanent judgment appropriation. This appropriation was established in the Treasury of the United States for the payment of judgments against the federal government (31 U.S.C. 1304).

⁴As discussed on page 9, the Equal Access to Justice Act which redesignated this provision as subsection (a) added new subsections (b) and (d) authorizing the awarding of attorney fees effective October 1, 1981.

The amount of the awards is usually included either in the final case judgment or in a separate court judgment or order. Section 2412 provides that costs may be awarded by the courts as enumerated in section 1920 of title 28, which states that the following types of fees may be included as costs:

- Fees of the clerk and marshal.
- Fees of the court reporter for all or any part of the stenographic transcript necessarily obtained for use in the case.
- Fees and disbursements for printing and witnesses.
- Fees for copies of papers necessary for use in the case.
- Docket fees for case filing.

The federal government's expenditures for costs awarded to prevailing private parties in civil antitrust litigation varied significantly during fiscal years 1978 through 1982. For example, \$1,102 was awarded in fiscal year 1980, whereas awards totaled just over \$245,000 in 1979. Individual case awards varied widely from \$1,102 to \$220,500. The total costs awarded by the courts in civil antitrust litigation during the 5-year period amounted to \$279,090. The table below shows the amounts awarded by fiscal year.

| <u>Fiscal year</u> | <u>Amounts awarded</u> |
|--------------------|------------------------|
| 1978 | \$ 3,019.90 |
| 1979 | 245,075.32 |
| 1980 | 1,102.46 |
| 1981 | 24,761.39 |
| 1982 | <u>5,131.13</u> |
| Total | <u>\$279,090.20</u> |

Appendix II lists the names of the civil antitrust cases in which cost awards were made against the federal government, the recipients of the awards, the amount of costs requested by the recipients, and the amounts awarded by the courts.

On the basis of actual costs incurred by the litigant, the courts have discretion to determine the amount of litigative costs that will be awarded parties prevailing against the federal government. Of the five types of fees that can be included as costs, as specified on page 8, only the amounts of the docket fees are specified in section 1923 of title 28. During fiscal years 1978 through 1982, the private parties prevailed in eight civil antitrust cases. In seven of the eight cases, we found that the private parties' initial requests totaled \$412,693 and the amount awarded by the courts totaled \$276,061. For one case, court records did not show the amount initially requested by the prevailing party. However, in this case court records showed that the prevailing party was awarded \$3,029. Court records did not specify why the amounts initially requested were reduced. The largest difference involved a claim for witness fees in the amount of \$89,203; in this case the court awarded only \$7,875.

ATTORNEY FEE AWARDS AGAINST THE
FEDERAL GOVERNMENT IN CIVIL ANTITRUST
AND SECURITIES LITIGATION

Awards of attorney fees to be paid by the federal government in civil antitrust and securities litigation were first authorized on October 1, 1981, with the implementation of the Equal Access to Justice Act (title II of Public Law 96-481). Section 204(a) of the act amended 28 U.S.C. 2412 by providing in subsections (b) and (d) that in addition to costs and as expressly prohibited or provided by statute, the courts may also award reasonable attorney fees and expenses to eligible parties prevailing against the federal government or any agency and official of the federal government acting in his/her official capacity. As of August 1, 1983, no such attorney fees had been awarded in civil antitrust or securities litigation.

Attorney fees in civil antitrust and securities litigation may be awarded against the federal government under either of two sections of the Equal Access to Justice Act. Under section 2412(b), attorney fees may be awarded to the same extent that a prevailing party would be entitled, by statute or common law, to recover from a private party unless expressly prohibited by statute. Section 2412(d)(2) would authorize the court to award

prevailing parties who meet the section's eligibility requirements attorney fees from the federal government except where such awards are otherwise provided by statute. Also under section 2412(d)(2)(B), the attorney fee awards are restricted to (1) an individual whose net worth did not exceed \$1 million at the time the civil action was filed and (2) a sole-owner business, partnership, corporation, or organization whose net worth did not exceed \$5 million or did not have more than 500 employees at the time the civil action was filed. Section 2412(d) provides that the amount of the attorney fees awarded is not to exceed \$75 per hour unless the court determines that a higher fee is justified. The act provides that section 2412(d) will be repealed effective October 1, 1984.

Justice officials told us that it is unlikely any awards for attorney fees will be made against the federal government in civil antitrust litigation under section 2412(d), because most of the antitrust litigation involving the federal government involves companies with a net worth in excess of \$5 million and more than 500 employees. Therefore, these companies would not be eligible for awards under section 2412(d) of the Equal Access to Justice Act. A Securities and Exchange Commission official told us that it is possible for attorney fees to be awarded under the act in civil securities cases because some of the Commission's litigation involves individuals or sole proprietors and small companies.

ATTORNEY FEES AWARDED AGAINST
PRIVATE PARTIES IN CIVIL ANTITRUST
AND SECURITIES LITIGATION NOT
INVOLVING THE FEDERAL GOVERNMENT

The Clayton Act of 1914 (ch. 323, 38 Stat. 730) provides that if the plaintiff prevails, he/she can recover attorney fees from private parties in civil antitrust litigation (15 U.S.C. 15). In contrast, the Securities Exchange Act of 1934 (ch. 404, title II, 206, 48 Stat. 907) authorizes awards of attorney fees to either litigant prevailing in civil securities litigation (15 U.S.C. 77k(e), 78r(a)). As requested, we reviewed awards of attorney fees in civil antitrust and securities cases not involving the federal government which had monetary judgments and were terminated during the period July 1, 1981, through June 30, 1982.

Of the 55 civil antitrust cases and 163 civil securities cases we reviewed, 40 percent (22) of the antitrust cases and 26 percent (43) of the securities cases involved awards for attorney fees. The amount of the judgment awards in these civil

cases ranged from \$15,252 to \$23 million for antitrust cases and from \$4,664 to \$7,750,000 for securities cases. The amount of attorney fees awarded per case ranged from \$9,375 to \$4,105,307 for antitrust cases and from \$413 to \$3,398,250 for securities cases. The following table shows the universe of antitrust and securities cases with attorney fee awards and those cases with class action settlements, as well as the average amounts of the judgment awards and the attorney fee awards.

| | <u>Universe of cases</u> | <u>Average amount of judgment award</u> | <u>Average amount of attorney fee award</u> |
|--|------------------------------|---|---|
| Total antitrust cases | 22 | \$3,413,863 | \$ 508,330 |
| Total securities cases | 43 | 629,962 | 167,649 |
| Antitrust cases with class action settlements ^a | 6 | 9,363,467 | 1,403,507 |
| Securities cases with class action settlements ^a | 10 | 1,770,181 | 591,326 |

^a/The amounts of the judgment awards and the attorney fee awards for these cases were included in the average amounts for the total antitrust and securities cases.

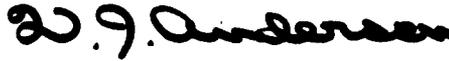
Appendix III contains a list of the civil antitrust and securities lawsuits with attorney fee awards, the amounts of the judgment and attorney fee awards, and whether the lawsuit involved a class action settlement.

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As agreed with your office and in the interest of expediting the reporting process, we did not obtain written comments from the agencies regarding this report. However, we did discuss the results of our work with officials of the Civil and Antitrust Divisions, the Office of Legal Policy, and the Securities and Exchange Commission's Office of General Counsel. These officials agreed with the information reported.

We trust the information will be useful to you in your continuing oversight efforts. As agreed with your office, unless you publicly announce the contents of the report earlier, we plan no further distribution until 15 days from the date of this report. At that time we will send copies to interested parties and make copies available to others upon request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "W. J. Anderson". The signature is written in a cursive style with a large initial "W".

William J. Anderson
Director

Expenditures for Private Counsel
During Fiscal Years 1974 through 1982

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|--------------|
| 1. Almand, Grice, & Knight Macon, Georgia | <u>Clavir, et al. v. U.S., et al.,</u> Civil Action No. 76-CIV.-1071 (RO) | \$ 55,242.55 |
| 2. Ambrose and Casselman Washington, D.C. | <u>Saffron v. Wilson, et al., (D.D.C.)</u> Civil Action No. 74-0079 (Filed 2/74) (Retained 4/13/78) | 28,451.14 |
| 3. Arent, Fox, Kintner, Plotkin & Kahn Washington, D.C. | <u>Grove Press, et al. v. CIA, et al.,</u> Civil Action No. 75-3493 (S.D.N.Y.) (Filed 7/75) (Retained 12/17/75) | 132,786.18 |
| | <u>Stephen Kipperman, et al. v. McCone,</u> et al., Civil Action No. C-75- 1211-CRR (N.D. Calif.) (Filed 6/75) (Retained 12/17/75) | |
| | <u>Rodney Driver v. Helms, et al.,</u> Civil Action No. 75-0229 (D.R.I.) (Filed 7/75) (Retained 12/1/75) | |
| | <u>Corliss Lamont v. U.S.</u> Civil No. 77-Civ. 1029 (E.D.N.Y.) (Filed 5/77) (Retained 7/27/77) | |
| | <u>Adele Halkin v. Helms, et al.,</u> Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 11/21/77) | |
| | <u>Eldridge Cleaver v. Bates, et al.,</u> Civil No. C-77-1423 (N.D. Calif.) (Filed 7/77) (Retained 1/78) | |
| | Appearances before the Senate and House Select Committees on Intell- igence (Retained 12/15/75) | |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|-------------|
| 4. Arkin, Stanley S. New York, New York | <u>Socialist Workers Party, et al.</u> <u>v. Attorney General, et al., 73 CIV.</u> <u>3160 (Filed 1973) (Retained 6/9/76)</u> | \$ 3,893.38 |
| 5. Asquith, Wiley & Ryan Providence, Rhode Island | <u>Grove Press, et al. v. CIA, et al.,</u> <u>Docket No. 76 CIV. 3493 (VLB)</u> <u>(S.D.N.Y.)</u> <u>Driver, et al. v. Helms, et al.,</u> <u>C.A. No. 75-0224 (D.R.I.)</u> | 82,456.77 |
| 6. Baker & Hostetler Denver, Colorado | <u>Robertson v. Adsit, et al.,</u> <u>C.A. No. 77-M-328.</u> | 17,204.76 |
| 7. Boone & Warren Richmond, Virginia | <u>Joe Bush, et al. v. Robert E. Bays,</u> <u>et al., No. 77-0472-R (E.D. VA.)</u> | 2,205.00 |
| 8. Braun, Harland W. Los Angeles, California | <u>United States v. Butler and related</u> <u>proceedings No. 74-2201 and 77-200</u> | 2,250.00 |
| 9. Brav & Schwartz San Diego, California | <u>State of California v. Chacon,</u> <u>People of State of California v.</u> <u>Hatton, No. 42225, Municipal Court</u> <u>of San Diego</u> | 10,504.55 |
| 10. Bremner, Baber & Janus Richmond, Virginia | <u>Joe Bush, et al. v. Robert E. Bays</u> <u>et al., No. 77-0472-R (E.D. VA.)</u> | 15,796.53 |
| 11. Brennen, Michael | <u>State of New Jersey v. R. Ferete,</u> <u>et al., Crim. No. 79-408 (D.N.J.)</u> | 5,666.00 |
| 12. Brown & Roady Washington, D.C. | <u>Grove Press, et al. v. CIA, et al.,</u> <u>CIV. Action No. 75-3493 USDC</u> <u>(S.D.N.Y.)</u> <u>Driver, et al. v. Helms, et al.,</u> <u>CIV. Action No. 75-0224 USDC</u> <u>(D.R.I.)</u> | 50,907.33 |
| 13. Buchwald & Kaufman New York, New York | <u>Price v. Kearney, 77 CIV. 2181 (CSH)</u> | 6,898.83 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|--|--------------|
| 14. Cadwalader, Wickersham & Taft New York, New York | <u>Grove Press, et al. v. CIA, et al.,</u> Civil Action No. 76 Civ. 5509 (S.D.N.Y.) (Filed 7/75) (Retained 12/17/75) | \$499,755.10 |
| | <u>Driver, et al. v. Helms, et al.,</u> Civil Action No. Civ. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/17/75) | |
| | <u>Kipperman v. McCone, et al.,</u> 422 F. Supp. 360 (N.D. Calif. 1976) (Filed 6/75) (Retained 12/17/75) | |
| | <u>Adele Halkin v. Helms, et al.,</u> Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 11/21/77) | |
| | <u>Lewis Cole v. John Kearney, Civil</u> No. 77-Civ. 3643 (S.D.N.Y.) (Filed 7/77) <u>Sarah Blackburn v.</u> <u>John Kearney, Civil No. 77-CIV 3211</u> (S.D.N.Y.) (Filed 7/77) (Retained 11/4/77) | |
| | <u>John L. Briggs v. Goodwin, et al.,</u> Civil Action No. 74-803 (D.D.C.) (Filed 5/74) (Retained 5/22/78) | |
| 15. Calamia & Mollin El Paso, Texas | <u>Ilse M. Sigler v. C.J. LeVan, et al.,</u> Civil No. 77-CA 35 (W.D. Tex.) (Filed 2/77) (Retained 7/5/77) | 4,021.74 |
| 16. Casey, Scott & Canfield Washington, D.C. | <u>Black Panther Party v. Levi, et al.,</u> Civil No. 76-2205 (D.D.C.) (Filed 12/76) (Retained 8/8/77) | 1,115.00 |
| 17. Casseb, Leon, Rodgers, Strong & Pearl San Antonio, Texas | State grand jury proceeding in Texas | 1,540.92 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|-------------|
| 18. Clark, Martin & Pringle, Denver, Colorado | <u>Fern Robertson v. Boyd D. Adsit, et al., Civil No. 77-M-328 (D. Col.)</u> (Filed 4/77) (Retained 7/22/77) | \$ 8,397.51 |
| 19. Cohen, Gettings & Shur Arlington, Virginia | <u>Black Panther Party v. Levi, et al., (U.S.C.A. D.C.) No. 80-1302</u> | 8,715.92 |
| 20. Cole & Groner Washington, D.C. | <u>Grove Press, et al. v. CIA, et al., Civil Action No. 76 CIV, 5509 (S.D. N.Y.) (Filed 7/75) (Retained 12/17/75)</u> <u>Driver, et al. v. Helms, et al., Civil Action No. Civ. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/17/75)</u> <u>Adele Halkin v. Helms, et al., Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 1/21/77)</u> | 165,086.86 |
| 21. Corcoran, Youngman & Rowe Washington, D.C. | <u>Sparrow, et al. v. Goodwin, et al., Civil Action No. 2988 (W.D.N.C.) (Filed 11/71) (Retained 9/29/75)</u> | 8,483.25 |
| 22. Covington & Burling Washington, D.C. | <u>John Doe Proceeding (Wisc. State Court) (Filed 5/77) (Retained 7/12/77)</u> | 32,913.21 |
| 23. Curcio, Joseph R. Chicago, Illinois | <u>Garallah v. Roudebush, Civil No. 77-1084 (7th Cir.) (Retained 5/22/78)</u> | 5,347.00 |
| 24. Daniels & Roth Washington, D.C. | <u>Lewis v. Chisolm, CIV. No. 78-0196 (D.D.C.)</u> | 1,470.00 |
| 25. Davidson, Gotshall, Kohl, Secrest, Wardle, Lynch & Clark Farmington Hills, Michigan | <u>Antonucci v. Bensinger, No. CA 80-71648 (California 6th Circuit)</u> | 8,372.31 |
| 26. Debelius, John W. Gaithersburg, Maryland | <u>Appearances before the Senate Select Committee on Intelligence Activities (Retained 10/20/75)</u> | 500.00 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|--|-------------|
| 27. Dechert, Price & Rhoads Washington, D.C. | U.S. v. Cedar-Riverside Land Co., Civil No. 4-78-61 (D. Minn.) | \$ 1,825.55 |
| 28. Dickstein, Shapiro & Morin Washington, D.C. | Berlin Democratic Club, et al. v. Rumsfeld, et al., Civil Action No. 310-73 (D.D.C.) (Filed 2/74) (Retained 5/26/76) Driver, et al. v. Helms, et al., Civil Action No. Civ. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/19/75) Kipperman v. McCone, et al., 422F Supp. 360 (N.D. Calif. 1976) (Filed 6/75) (Retained 12/19/75) | 77,847.49 |
| 29. Diuguid, Siegel & Kennelly Washington, D.C. | Lewis Cole v. John Kearney, Civil No. 77-Civ. 3643 (S.D.N.Y.) (Filed 7/77) Sarah Blackburn v. John Kearney, Civil No. 77-CIV 3211 (S.D.N.Y.) (Filed 7/77) (Retained 11/4/77) | 678.31 |
| 30. Dodd, Driver, Connell & Hughes Atlanta, Georgia | Congressional Inquiry (Retained 9/22/77) | 9,128.46 |
| 31. Duncan, Brown, Weinberg & Palmer Washington, D.C. | Grove Press, et al. v. CIA, et al., Civil Action No. 76 CIV, 5509 (S.D. N.Y.) (Filed 7/75) (Retained 2/9/76) Driver, et al. v. Helms, et al., Civil Action No. Civ. 75-0224 (D.R.I.) (Filed 7/75) (Retained 2/9/76) Corliss Lamont v. United States, et al., Civil No. 77-CIV. 1029 (E.D.N.Y.) (Filed 5/77) (Retained 7/14/77) Adele Halkin v. Helms, et al., Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 11/21/77) Appearance before the Senate Select Committee on Intelligence Activities (Retained 10/16/75) House Select Committee on Assassina- tions (Retained 9/28/78) | 177,646.63 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|--|-------------|
| 32. Eads, John W. | <u>John D. Newrkirk v. Curry County, et al., Civil Action No. 80-718-L</u> | \$ 238.00 |
| 33. Fairley, Hamrick, Monteith & Cobb Charlotte, North Carolina | <u>Sparrow, et al. v. Goodwin, et al., Civil Action No. 2988 (W.D.N.C.) (Filed 4/71) (Retained 11/13/73)</u> | 28,758.44 |
| 34. Foley, Lardner, Hollabaugh & Jacobs Washington, D.C. | Appearances before the House Government Information and Individual Rights Subcommittee (Retained 10/24/75) Appearances before the Senate Select Committee on Intelligence Activities Appearances before the House Select Committee on Assassinations (Retained 7/31/78) | 45,904.29 |
| 35. Frank, Bernstein, Conaway & Goldman Baltimore, Maryland | <u>Lewis Cole v. John Kearney, Civil No. 77-CIV. 3643 (S.D.N.Y.) (Filed 7/77)</u> <u>Sarah Blackburn v. John Kearney, Civil No. 77-CIV. 3211 (S.D.N.Y.) (Filed 7/77) (Retained 11/4/78)</u> <u>Ilse M. Sigler v. C.J. LeVan, et al., Civil No. 77-CA 35 (W.D. Tex.) (Filed 2/77) (Retained 9/28/78)</u> <u>Clavir, et al. v. U.S., et al., 76-CIV. 1071 (S.D.N.Y.) (Retained 7/31/78)</u> | 28,99.48 |
| 36. Fried, Frank, Harris, Shriver, Kampelman Washington, D.C. | <u>Adele Halkin v. Helms, et al., Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 11/21/77)</u> | 32,301.87 |
| 37. Frisch, Dudek & Slattery, Ltd. Milwaukee, Wisc.; check issued to Mr. Gerald C. Gearty Washington, D.C. | <u>Mary Blair v. Fred J. Baumgardner Civil Action No. 77-C-390</u> | 1,350.00 |
| 38. Galther, Clarke, Martell & Donnelly Washington, D.C. | <u>Adele Halkin v. Helms, et al., Civil No. 75-1173 (D.D.C.) (Filed 10/75) (Retained 11/21/77)</u> | 12,334.98 |

| Law firm retained | Lawsuit or matter | Amount paid |
|---|--|-------------|
| 39. Ginsburg, Feldman & Bress Washington, D.C. | Berlin Democratic Club, et al. v. Rumsfeld, et al., Civil Action No. 310-73 (D.D.C.) (Filed 2/74) (Retained 5/26/76) | \$19,066.84 |
| 40. Gold, Rotatori, Messerman & Schwarz Cleveland, Ohio | Range v. Szego, No. C 812310 | 577.50 |
| 41. Greenfeig, Stuart S. Rockville, Maryland | Appearances before the Senate Select Committee on Intelligence (Retained 10/30/75) | 387.50 |
| 42. Hanna & Cullen Washington, D.C. | Humana, Inc. v. Patricia R. Harris, Civil Action Nos. 78-0584, 78-0175 | 2,721.90 |
| 43. Harnisch, Alan C. Southfield, Michigan | Antonucci v. Bensinger, CA 8071548 (U.S.D.C.E.D. MI) | 18,344.15 |
| 44. Heaney, James & Hearn Los Angeles, California | Oskar v. DEA, CU 80-5304-MRP(P) (U.S.D.C. C.D. California) | 1,046.77 |
| 45. Higgins, Cavanagh & Cooney Providence, Rhode Island | Rodney Driver v. Helms, et al., Civil Action No. 75-0224 (D.R.I.) (Filed 7/75) | 7,057.69 |
| 46. Hill, Christopher & Phillips Washington, D.C. | Appearances before the Senate Select Committee on Intelligence Activities (Retained 12/15/75) Appearances before the House Select Committee on Intelligence (Retained 12/15/75) | 2,813.51 |
| 47. Hirschhorn, Joel Miami, Florida | Grievance proceedings against Enrique Romero | 918.75 |
| 48. Hollenberg, Levin, Marlow & Bloom Mineola, New York | Soobjokov v. Fier, et al., Sup. Ct., Nassau County, N.Y. | 2,513.46 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|--|-------------|
| 49. Hundley and Cacheris Washington, D.C. | <u>Stephen Kipperman, et al., v. McCone, et al., Civil Action No. C-75-1211-CBR (N.D. Calif.) (Filed 6/75) (Retained 12/17/75)</u> <u>Rodney Driver v. Helms, et al., Civil Action No. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/17/75)</u> <u>Jack N. Anderson v. Nixon, et al., Civil No. 76-1234 (D.D.C.) (Filed 9/76) (Retained 12/17/75)</u> <u>Townsend v. Carmel, CA No. 79-0746 (D.D.C.)</u> <u>Jane Fonda v. Nixon, et al., Civil Action No. 73-2442-M.L. (C.D. Calif.) (Filed 1973) (Retained 3/5/76)</u> Appearances before the Senate Select Committee on Intelligence Activities (Retained 10/8/75) | \$43,858.38 |
| 50. Hunton & Williams Richmond, Virginia | <u>Joe Bush, et al. v. Robert E. Bays, et al., No. 77-0472-R (E.D. VA.)</u> | 24,741.57 |
| 51. Jones, Day, Reavis & Pogue Washington, D.C. | <u>Morton Halperin, et al. v. Kissinger, (D.D.C.)</u> | 4,422.00 |
| 52. Kantor, Shaw, Davidoff New York, New York | Appearances before the Senate Select Committee on Intelligence Activities | 750.00 |
| 53. Kellogg, Williams & Lyons Washington, D.C. | Appearances before the Senate Select Committee on Intelligence Activities (Retained 10/2/75) | 367.50 |
| 54. Kessler, Cowan & Beard La Jolla, California | <u>People v. Krohn, Criminal Case # F 57527</u> | 22,293.32 |
| 55. Killian & Gephart Harrisburg, Pennsylvania | <u>Robinson v. Wicka, CU No. 80-0481 (USDC For M.D. PA)</u> | 5,576.77 |
| 56. LaCheen, S. | <u>State of New Jersey v. R. Fekete, et al., Crim No. 79-408 (D.N.J.)</u> | 3,822.00 |
| 57. Landels, Ripley & Diamond San Francisco, California | <u>Eldridge Cleaver v. Charles Bates, et al., Civil Action No. C-77-1423 W.L. (N. D. Calif.) (Filed 7/77) (Retained 1/78)</u> | 21,351.57 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|--------------|
| 58. Leonard, Cohen & Gettings Arlington, Virginia | Appearance before the House Select Committee on Intelligence (Retained 12/18/75) <u>Black Panther Party v. Levi, et al.,</u> Civil Action No. 76-2205 (D.D.C.) (Filed 12/76) <u>Lewis Cole v. John Kearney, Civil</u> No. 77-CIV. 3643 (S.D.N.Y.) (Filed 7/77) <u>Sarah Blackburn v.</u> <u>John Kearney, Civil No. 77-CIV 3211</u> (S.D.N.Y.) (Filed 7/77) (Retained 11/4/77) <u>Judith Clavir, et al. v. United</u> <u>States, et al., 76 CIV-10/1</u> <u>S.D.N.Y.</u> (Retained 7/31/78) | \$ 31,505.69 |
| 59. Levy & Goldstein San Antonio, Texas | State grand jury proceeding in Texas | 1,500.00 |
| 60. London & Greenberg St. Louis, Missouri | <u>John Meiners v. Fried Creely, et al.,</u> Civil Action A-CIV-75-43 (S.D. Ill.) (Filed 1975) (Retained 5/16/75) | 3,090.00 |
| 61. Maloney, Viviani & Higgins New York, New York | <u>Socialists Workers Party, et al. v.</u> <u>Attorney General of the U.S., CIV.</u> <u>Action No. 73-CIV-3160 (TPG) (S.D.N.Y.)</u> | 23,530.64 |
| 62. Marin & Boylan McLean, Virginia | Appearances before the Senate Select Committee on Intelligence Activities (Retained 10/3/75) | 390.00 |
| 63. Martin, Obermaier & Morville New York, New York | <u>Betram Zweibon, et al. v. Mitchell, et</u> <u>al., and Socialist Workers Party, et</u> <u>al. v. Attorney General, et al.,</u> <u>73 CIV. 3160 (Filed 1973) (6/2/76)</u> | 16,164.23 |
| 64. Milbank, Tweed, Hadley & McCloy Washington, D.C. | <u>Fitzgerald v. Butterfield, et al.,</u> <u>U.S.D.C. (D.D.C) CIV No. 74-718</u> | 128,588.37 |

| Law firm retained | Lawsuit or matter | Amount paid |
|---|---|-------------|
| 5. Miller, Cassidy, Larroca & Lewin Washington, D.C. | <u>Jack N. Anderson v. Nixon, et al.,</u> Civil No. 76-1794 (D.D.C.) (Filed 9/76) (Retained 8/3/77) | \$30,113.28 |
| | <u>Sparrow, et al. v. Goodwin, et al.,</u> Civil Action No. 2988 (W.D.N.C.) (Filed 11/71) (Retained 9/29/75) | |
| 6. Moore & Foster Washington, D.C. | <u>Riley Pointer v. Griffin, et al.,</u> Civil Action 77-0693 (D.D.C.) (Filed 4-77) (Retained 10/26/77) | 95,196.61 |
| | <u>Pointer v. Kaplan, Civil No. 79-0939</u> (D.D.C.) | |
| 57. Morgan, Charles, Jr. & Assoc. Washington, D.C. | <u>Firestone Tire & Rubber Co. v. Adams,</u> <u>et al., Civil No. C-78-227 (N.D. Ohio)</u> (Retained 5/11/78) | 2,933.05 |
| 68. Morgan, Lewis, & Bockius Washington, D.C. | <u>Humana, Inc., et al. v. Patricia Harris,</u> (U.S.D.C. D.C.) Civil Action No.'s 78-0584 and 78-0175 | 6,475.55 |
| 69. Morrison & Foerster San Francisco, California | <u>Eldridge Cleaver v. Charles Bates,</u> <u>et al., Civil No. C-77-1423 (N.D.</u> <u>Calif.) (Filed 7/77) (Retained 1/13/78)</u> | 6,551.71 |
| 70. Nasuti & Miller Philadelphia, Pennsylvania | <u>State of New Jersey v. R. Fekete, et al.,</u> Crim No. 79-408 (D.N.J.) | 10,325.00 |
| | <u>Morrison v. DEA, CIV No. 79-3081</u> (E.D. PA.) | |
| | <u>Cucinotta v. DEA, CIV. No. 79-3350</u> (E.D. PA.) | |
| 71. Neal and Harwell Nashville, Tennessee | <u>Ilse M. Sigler v. C.J. LeVan, et al.,</u> Civil No. EP 77-CA 35 (W.D. Tex.) (Filed 2/77) (Retained 8/5/77) | 51,333.30 |
| 72. Nelson, William E. Washington, D.C. | Conflict of Interest | 34,924.51 |
| 73. Noonan, Frank Portland, Oregon | <u>Oregon v. Bertsch,</u> CR 82-11-FR (U.S.D.C. Oregon) | 3,047.55 |

| Law firm retained | Lawsuit or matter | Amount paid |
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| 74. O'Brien & Moore St. Croix, Virgin Islands | Reimbursement check issued to William Bonnette | \$ 840.00 |
| 75. Pace, William Aberdeen, Mississippi | Bishop v. Tice, No. LR-C-77-310 (E.D. Ark.) | 12,361.99 |
| 76. Parrish, Larry E. Memphis, Tennessee | Louis R. Rivera v. J.A. Gilley, (U.S.D.C., W.D. Tenn.) Civil No. C-79-2692-M | 335.27 |
| 77. Peabody, Rivlin, Lambert & Meyers Washington, D.C. | Rapps v. U.S., Civil Action No. 78-0812 (D.D.C.) Charles Russell v. J. Jerome Bullock, et al., (U.S.D.C. D.C.) Civil No. 80-0463 | 14,279.73 |
| 78. Perroni & Rauls Little Rock, Arkansas | Bishop v. Tice, No. LR-C-77-310 (E.D. Ark.) | 30,609.27 |
| 79. Reavis & McGrath New York, New York | Criminal charges in State of New York | 155.06 |
| 80. Ross & Stevens Madison, Wisconsin | Blair v. Baumgardner, Civil 77-C-390 (E.D. Wisc.) | 252.12 |
| 81. Ruzow, Lawrence A. Window Rock, Navajo Nation, Arizona | Navajo Nation v. Ross Bigman No. WR-CR-7588-81 | 3,509.99 |
| 82. Schiff, Hardin & Waite Chicago, Illinois | Humana Inc., et al. v. Patricia Harris, (U.S.D.C. D.C.) Civil Action No's 78-0584 and 78-0175 | 4,646.63 |
| 83. Schreiber, Klink & Schreiber New York, New York | Judith Clavir, et al. v. United States, et al., 76-CIV.-1071 (S.D.N.Y.) (Retained 9/18/78) | 67,482.23 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|-------------|
| 84. Schwalb & Donnenfeld Washington, D.C. | <u>Grove Press, et al. v. CIA, et al.,</u> Civil Action No. 75-3493 (S.D.N.Y.) (Filed 7/75) (Retained 12/17/75) | \$58,021.79 |
| | <u>Rodney Driver v. Helms, et al.,</u> Civil Action No. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/1/75) | |
| | <u>Corliss Lamont v. United States,</u> Civil No. 77-Civ. 1029 (E.D.N.Y.) (Filed 5/77) (Retained 7/27/77) | |
| | <u>Adele Halkin v. Helms, et al.,</u> Civil No. 75-1773 (D.D.C.) (Filed 10/75) (Retained 11/21/77) | |
| | <u>Eldridge Cleaver v. Bates, et al.,</u> Civil C-77-1423 (N.D. Calif.) (Filed 7/77) (Retained 1/78) | |
| 85. Schwartz & Earp El Paso, Texas | <u>Ilse M. Sigler, et al. v. C.J. LeVan,</u> <u>et al.,</u> Civil No. 77-CA 35 (W.D. Tex.) (Filed 2/77) (Retained 6/77) | 12,442.05 |
| 86. Semenza & Lutfy Las Vegas, Nevada | <u>Oskar v. DEA, CU 80-5305-MRP(P)</u> (C.D. California) | 2,141.00 |
| 87. Sharp, Randolph & Janis Washington, D.C. | <u>Berlin Democratic Club, et al., v.</u> <u>Rumsfeld, et al.,</u> Civil Action 310- 73 (D.D.C.) (Filed 2/74) (Retained 5/26/76) | 98,016.07 |
| 88. Shaw, Pittman, Potts, Trowbridge Washington, D.C. | <u>Saffron v. Wilson, et al.,</u> Civil Action No. 74-0079 (D.D.C.) (Filed 2/74) (Retained 4/13/78) | 67,413.57 |
| | <u>Townsend v. Carmel, CA No. 79-0746</u> (D.D.C.) | |
| 89. Sheridan, Garrahan, & Lander Framingham, Massachusetts | <u>Bullock v. U.S.,</u> (U.S.D.C. Utah) Civil No. C-81-0123C | 1,452.98 |
| 90. Sidley & Austin Washington, D.C. | Hampton v. Hanrahan, No 77-1698 | 3,305.40 |
| 91. Simmonds, Coleburn, Towner & Capman Arlington, Virginia | <u>Eltra Corporation v. Barbara Ringer,</u> Civil Action 76-264-A (E.D. VA.) (Retained 10/8/76) | 4,959.75 |

| Law firm retained | Lawsuit or matter | Amount paid |
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| 92. Smith, Mary Reynolds Richmond, Virginia | Grand jury testimony | \$ 60.00 |
| 93. Smith, Sonerville & Case Baltimore, Maryland | <u>Probert v. Maresh</u> , Civil Action No. 8-76-TT99 (U.S.D.C. MD.) | 8,614.49 |
| 94. Smothers, Douple, Gayton & Long Washington, D.C. | <u>Lewis v. Chisolm, et al.</u> , Civil No. 78-0T96) (D.D.C.) | 3,356.65 |
| 95. Stein, Mitchell & Mezines Washington, D.C. | <u>Precure v. United States</u> , Civil Action 76-677 (D.D.C.) (Retained 12/76) | 85,836.08 |
| | <u>Berlin Democratic Club, et al. v. Rumsfeld, et al.</u> , Civil Action 310-73 (D.D.C.) (Filed 2/74) (Retained 7/19/77) | |
| | <u>Briggs v. Goodwin</u> , Civil No. 74-803 (D.D.C.) | |
| | <u>Russell v. Bullock, et al.</u> , Civil No. 80-0463, (U.S.D.C. D.C.) | |
| 96. Sterns & Eames Skowhegan, Maine | Grand jury investigation | 254.35 |
| 97. Stiller, Adler & Schwartz Washington, D.C. | <u>Jack N. Anderson v. Nixon, et al.</u> , Civil Action 76-1794 (D.D.C.) (Filed 9/76) (Retained 8/3/77) | 8,575.66 |
| 98. Swan, Keeney, Jenckes & Asquith Providence, Rhode Island | <u>Grove Press, et al. v. CIA, et al.</u> , Civil Action No. 76 CIV. 5509 (S.D. N.Y.) (Filed 7/75) (Retained 12/17/77) | 142,058.91 |
| | <u>Driver, et al. v. Helms, et al.</u> , Civil Action No. CIV. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/17/75) | |
| 99. Thelen, Marrin, Johnson & Bridges San Francisco, California | <u>Grove Press, et al. v. CIA, et al.</u> , Civil Action No. 76 Civ. 5509 (S.D.N.Y.) (Filed 7/75) (Retained 12/17/75) | 27,222.58 |
| | <u>Kipperman v. McCone, et al.</u> , 422 F. Supp. 860 (N.D. Calif. 1976) (Filed 6/75) (Retained 12/17/75) | |
| 100. Truitt, Farrikant, Bucklin & Lenzner Washington, D.C. | Appearances before the Senate Select Committee on Intelligence Activities (Retained 10/2/75) | 19,551.67 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|--|--------------|
| 101. Walker & Palmer Charlotte, North Carolina. | <u>Sparrow, et al. v. Goodwin, et al.,</u> Civil Action 2988 (W.D.N.C.) (Filed 11/71) (Retained 11/13/73) | \$ 34,165.19 |
| 102. Walker & Williams Belleville, Illinois | <u>John Meiners v. Frederick Dana, et</u> <u>al.,</u> Civil Action A-CIV-75-43 (S.D. ITT.) (Filed 1975) (Retained 5/16/75) | 4,659.24 |
| 103. Webster & Sheffield New York, New York | <u>Grove Press, et al. v. CIA, et al.,</u> Civil Action No. 76 Civ. 5509 (S.D.N.Y.) (Filed 7/75) (Retained 12/17/75) | 112,305.97 |
| | <u>Driver, et al. v. Helms, et al.,</u> Civil Action No. Civ. 75-0224 (D.R.I.) (Filed 7/75) (Retained 12/17/75) | |
| | <u>Kipperman v. McCone, et al.,</u> 422 F. Supp. 360 (N.D. Calif. 1976) (Filed 6/75) (Retained 12/17/75) | |
| 104. Welch & Morgan Washington, D.C. | Appearances before the Senate Select Committee on Intelligence Activities (Retained 11/11/75) | 25,500.04 |
| | <u>Judith Clavir, et al. v. United States,</u> <u>et al.,</u> 76-CIV-1071 (S.D.N.Y.) (Retained 9/29/78) | |
| | House Select Committee on Assassina- tions (Retained 8/10/78) | |
| 105. White & Case New York, New York | <u>Berlin Democratic Club, et al. v.</u> <u>Rumsfeld, et al.,</u> Civil Action 310- 73 (D.D.C.) (Filed 2/74) (Retained 5/21/76) | 265,785.48 |
| 106. Whiteford, Hart, Carmody & Wilson Washington, D.C. | <u>Jack N. Anderson v. Nixon, et al.,</u> Civil Action 76-1794 (D.D.C.) (Filed 9/76) (Retained 8/3/77) | 11,228.05 |
| 107. Wickham, Wickham & Bressler Long Island, New York | <u>Kowalski v. Wiggin</u> | 753.75 |

| Law firm retained | Lawsuit or matter | Amount paid |
|---|--|--------------|
| 108. Wieseman & Wieseman Rockville, Maryland | <u>Berlin Democratic Club, et al. v. Rumsfield, et al. Civil Action No. 310-73 (D.D.C.) (Filed 2/74)</u> (Retained 5/26/76) | \$259,057.05 |
| 109. Wiest, Wiest & Saylor Sunbury, Pennsylvania | <u>Earnest Robinson, Sr. v. David M. Wicka, et al., Civil No. 80-0481,</u> (U.S.D.C. MD. PA.) | 4,148.55 |
| 110. Williams & Connolly Washington, D.C. | <u>Ilse M. Sigler v. C.J. LeVan, et al., Civil No. EP 77-CA-35 (W.D. Tex.)</u> (Filed 2/77) (Retained 7/19/77) <u>Saffron v. Wilson, et al., Civil Action No. 74-0079 (D.D.C.)</u> (Retained 7/13/78) | 65,443.81 |
| 111. Wilmer, Cutler & Pickering Washington, D.C. | Congressional Inquiry (Retained 7/15/77) <u>Humana Inc., et al. v. Patricia Harris,</u> (U.S.D.C. D.C.) Civil Action No.'s 78-0584 and 78-0175 | 8,673.24 |
| 112. Windels, Marx, Davies & Ives New York, New York | <u>Socialist Workers Party, et al. v. Attorney General, et al., 73 CIV. 3160 (Filed 1973) (Retained 6/77)</u> <u>Judith Clavir, et al. v. United States, et al., 76-CIV-1071</u> (S.D.N.Y.) (Retained 9/29/78) <u>Lewis Cole v. Kearney, et al., 77 CIV. 3643 (S.D.N.Y.)</u> <u>Sarah Blackburn, et al. v. Kearney, et al., 77 CIV. 3211 (S.D.N.Y.)</u> <u>William A. Price v. Kearney, et al., 77 CIV 2181 (S.D.N.Y.)</u> <u>Deborah Offner v. Kearney, et al., 77 CIV 2946 (S.D.N.Y.)</u> <u>Joanna Lawrenson v. Kearney, et al., 77 CIV 3542 (S.D.N.Y.)</u> <u>Judith Clark, et al. v. United States, et al., 78 CIV 224 (S.D.N.Y.)</u> (Retained 9/29/78) | 149,651.29 |
| 113. Winston & Strawn Chicago, Illinois | Access to certain documents which constitute part of file in <u>Brewre v. Chicago.</u> (Retained 12/9/75) | 6,000.00 |

| Law firm retained | Lawsuit or matter | Amount paid |
|--|---|-----------------------|
| 114. Wolfe, Bruce P. Van Nuys, California | Oskar v. DEA, (C.D. CA) CA No. CIV 80-5304-MRP(P) | \$ 855.00 |
| 115. Wrenn, James R. Richmond, Virginia | In re McAndrews, et al., Criminal No. 79-00058 (E.D. VA.) | 5,334.41 |
| 116. Zuckerman, Spaeder & Taylor Washington, D.C. | Briggs v. Goodwin, Civil No. 74-803 (D.D.C.) | 832.60 |
| 117. Zuckerman, Roger E. Washington, D.C. | Berlin Democratic Club, et al. v. Rumsfeld, et al., Civil Action No. 310-73 (D.D.C.) (Filed 2/74) (Retained 5/26/76) | 151,428.23 |
| Total | | <u>\$3,988,673.20</u> |

Federal Expenditures for Costs
Awarded to Private Parties in Antitrust
Cases During Fiscal Years 1978-1982

| <u>Lawsuit</u> | <u>Award recipient</u> | <u>Amount requested</u> | <u>Amount awarded</u> |
|---|---|-------------------------|------------------------|
| International Harvester Co. and Stelger Tractor v. United States of America (note a) | Kirland and Ellis | \$ 6,394.34 | \$ 3,019.90 |
| United States v. Westinghouse Electric Corp., et al. | Lasky, Haas, Cohler & Munter | 169,298.38 | 160,515.63 |
| | Orrick, Herrington & Sutcliffe | 32,180.65 31,413.36 | 26,393.62 25,716.09 |
| | Theodore R. Gates Assoc. Economic Consultants | 89,203.30 | 7,875.00 |
| United States v. Tracinda Investment Corp., et al. | Wyman, Dautzer, Rothman & Kuchel | 18,447.66 | 18,447.66 |
| United States v. The American Society of Anesthesiologists, Inc. | Squire, Sanders & Dempsey | 6,907.32 | 6,127.32 |
| United States v. Siemens Corp., et al. (note a) | Davis, Polk & Wardwell | 1,147.28 | 1,102.46 |
| United States v. First National State Bancorporation, et al. | Howrey & Simon | 25,582.11 3,933.40 | 11,984.55 2,544.90 |
| | Metzger, Shadyac & Schwarz | 22,680.61 2,687.26 | 7,889.02 2,342.92 |
| | Arter, Hadden & Hemmendinger | 2,817.29 | 2,101.79 |
| United States v. Westinghouse Electric Corp., Mitsubishi Electric Corp. & Mitsubishi Heavy Industries, Inc. and Mitsubishi Electric Corp. & Mitsubishi Heavy Industries, Ltd. v. United States (note a) | Orrick, Herrington, Rowley & Sutcliffe | (note b) | 1,792.54 |
| | Lasky, Haas, Cohler & Munter | (note b) | <u>1,236.80</u> |
| Total | | \$412,692.96 ***** | \$279,090.20 ***** |

a/These cases were adjudicated in a Federal Court of Appeals.

b/Information on the amount of costs initially requested by the prevailing party was not available in these cases.

Antitrust and Securities Cases with Attorney Fee
Awards Closed During Statistical Year 1982
Not Involving the Federal Government

| <u>Lawsuit</u> | <u>Amount of judgment award</u> | <u>Amount of attorney fee awarded^a</u> |
|--|-------------------------------------|---|
| <u>ANTITRUST CASES</u> | | |
| 1. Chromallory American Corp. v. B. Wallace Fischman ^b | \$ 576,932 | \$ 250,000 |
| 2. World of Sleep, Inc. v. LA-Z-Boy Chair Co., et al. ^b | 184,708 ^c | 64,708 |
| 3. Graphic Products Distributors, Inc. v. Itek Corp. ^b | 651,805 ^c | 51,600 |
| 4. Calculators Hawaii, Inc. v. Brandt, Inc., et al. ^b | 106,199 | 45,000 |
| 5. Carlo C. Gelardi Corp. v. Miller Brewing Co. ^b | 440,102 | 160,102 |
| 6. Wickham Contracting Co. Inc., et al. v. The Board of Education of the City of New York, et al. ^b | 489,000 | 15,000 |
| 7. Michigan Peninsula Airways, Ltd. v. Intercontinental Airways, Inc., et al. | 82,437 | 11,500 |
| 8. Wits, Inc. v. Burlington Northern Air Freight, Inc., et al. | 11,457,982 | 1,200,000 |
| 9. Fry-Togs, Inc. v. Glenco of Carolina, Inc., et al. | 304,282 | 77,637 |
| 10. John Cockrell and Co. v. Levolor Lorentzen, Inc. | 110,473 ^c | 50,000 |
| 11. Biggers Funeral Home, et al. v. Shannon Life Insurance Co., et al. | 15,252 | 13,715 |